

## UNITED STATES DISTRICT COURT

for the

District of South Carolina

United States of America

v.

Dormaine Kadrell Baker

Case No: 4:11-cr-02345-TLW-2

USM No: 23499-171

Date of Original Judgment: 11/13/2012

Date of Previous Amended Judgment:

(Use Date of Last Amended Judgment if Any)

Mark C. McLawhorn

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

(Complete Parts I and II of Page 2 when motion is granted)

The Court concludes that Defendant is eligible for relief under Amendment 782. However, in exercising its discretion under § 3582(c)(2), the Court concludes that his sentence should not be reduced. This conclusion is based on a consideration of relevant caselaw and the factors set forth in Application Note 1(B) of § 1B1.10 (including the § 3553(a) factors), including the significant drug weight for which he was held accountable, that he was under sentence for several other offenses at the time of the instant offense, and public safety considerations based on his extensive, violent criminal history, which included convictions for voluntary manslaughter, assault, receiving stolen goods, and larceny. See United States v. Smalls, 720 F.3d 193, 195 (4th Cir. 2013); United States v. Legree, 205 F.3d 724, 727 (4th Cir. 2000).

Except as otherwise provided, all provisions of the judgment dated 11/13/2012 shall remain in effect.

IT IS SO ORDERED.

Order Date: 07/31/2015

s/ Terry L. Wooten

Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Terry L. Wooten, Chief United States District Judge

Printed name and title